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07/05/01

TRANSFER-ADJUSTMENT-FORFEITURE REPORT

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GREGORIO A. VARGAS, Plaintiff

:

vs.

CIVIL ACTION NO. 1:CV-00-2040

SCI SMITHFIELD.

Defendant

FILED HARRISBURG, PA

JUN 2 8 2001

ORDER

MARY E, D'ANDREA, CLERK

DEPOTY CLERK

AND NOW, this 28th day of June, 2001, it is ordered

that:

- 1. The complaint (doc. 1) is dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) and (iii).
- 2. Plaintiff's application to proceed <u>in</u> <u>forma pauperis</u> (doc. 2) is granted.
- 3. The Administrative Orders (docs. 7 and 10), issued December 7, 2000 and January 8, 2001, are vacated.
- 4. All funds received to satisfy the filing fee in this action are to be applied to Vargas v. Hoffman, No. 1:CV-01-0296 (M.D. Pa. 2001).
- 5. The Clerk of Court is directed to file copies of Exhibits filed by Vargas in support of his complaint (doc. 11) in <u>Vargas v.</u> <u>Hoffman</u>, Civ. No. 1:CV-01-0296 (M.D. Pa. 2001).
- 6. The Clerk of Court is directed to close the case.

7. Any appeal from this order would not be taken in good faith.

WILLIAM W. CALDWELL

United States District Judge